

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS**

**JUL 17 2009**

**ORDER STRIKING AND UNFILING DOCUMENT**

CLERK, U.S. DISTRICT COURT

By \_\_\_\_\_

Deputy

The Clerk has identified a defect in the form of the document indicated below, and the Court has independently determined that the document should be stricken and unfiled. Accordingly, it is ordered that the document is stricken from the record of this case, and the Clerk is directed to note on the docket that the document has been unfiled.

DATE

U.S. DISTRICT/MAGISTRATE JUDGE

**NOTICE OF DEFICIENCY**

Judge: McBryde

Date: July 17, 2009

Case Number: 4:09-CV-415-A

Style: Liu v. Jackson, et al.

Deputy Clerk: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

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A(n) \_\_\_\_\_ Appendices to Plaintiff's First Amended Complaint has been filed by  
Plaintiff and is considered deficient in the area(s) noted below:

- \_\_\_ 1. A civil cover sheet must be filed with the complaint. See LR 3.1(a) or LR 3.2(c).
- \_\_\_ 2. The document(s) must be in proper form. See LR 10.1 or LCRr 49.3.
- \_\_\_ 3. The signature of the attorney of record, which includes a party proceeding *pro se*, is required on each document filed. See FED. R. Civ. P. 11(a), FED. R. Crim. P. 49(d), LR 11.1(b), or LCRr 49.5(b).
- \_\_\_ 4. A completed certificate of service is required. See FED. R. Civ. P. 5(d) or FED. R. Crim. P. 49(d).
- \_\_\_ 5. Each separate document contained therein must be identified. See LR 5.1(c) or LCRr 49.2(c).
- \_\_\_ 6. The motion must include:
  - a. \_\_\_ certificate of conference or inability to confer. See LR 7.1(b) or LCRr 47.1(b).
  - b. \_\_\_ brief in support of motion. See LR 7.1(d), LR 56.5(a), or LCRr 47.1(d).
  - c. \_\_\_ proposed order. See LR 7.1(c) or LCRr 47.1(c).
  - d. \_\_\_ documentary or non-documentary evidence in a separate appendix. See LR 7.1(i) or LR 56.6.
- \_\_\_ 7. A motion for leave to amend must have a copy of the proposed amended pleading attached as an exhibit. See LR 15.1(a) and (b). If the motion for leave to amend is filed on paper, the motion must be accompanied by an original and second copy of the proposed amended pleading that is neither attached to the motion nor made an exhibit to the motion. See LR 15.1(a).
- \_\_\_ 8. A motion for continuance of a trial setting must be signed by the party as well as by the attorney of record. See LR 40.1.
- \_\_\_ 9. An attorney seeking *pro hac vice* admission must apply for admission on an approved form and pay the applicable fee. See LR 83.9(b) or LCRr 57.9(b).
- \_\_\_ 10. Additional copies are required. See LR 5.1(b) or LCRr 49.2(b).
- \_\_\_ 11. The attorney filing the pleading is not admitted to practice in this district. See LR 83.7 or LCRr 57.7.
- \_\_\_ 12. The document requires a separately signed certificate of interested persons. See LR 3.1(c), LR 3.2(e), LR 7.4, LR 81.1 (a)(3)(D), or LR 81.2.
- ☒ 13. Other: Court's order signed July 16, 2009, specifically ordered exhibits filed in a separate document

*(continued on p. 2)*

“in compliance with the court’s status report order available on its website at: [http://www.txnd.uscourts.gov/judges/jmcbryde\\_req.html](http://www.txnd.uscourts.gov/judges/jmcbryde_req.html).” The court’s status report order requires that “[a]n item or collection of items of more than fifty pages shall be spiral-bound on the side. Counsel shall highlight, as appropriate, those portions of the items that are of particular pertinence.” The appendix, consisting of 91 pages, is secured by two binding rings at the top, was filed in a pink plastic folder, and fails to highlight items of particular pertinence.

Plaintiff can retrieve the original and copy of the appendices from the clerk’s office until 2:00 p.m. Tuesday, July 21, 2009, after which time they will be destroyed.